



Date: October 18, 2005
To: Members of the Marine Advisory Commission
From: Mark A. Sandoval, Manager of Marinas and Beaches
Subject: MEETING MINUTES OF OCTOBER 13, 2005
MARINE ADVISORY COMMISSION (MAC)

Commissioners Present

Richard L. Miller, Chair
Bradley Whyte, Vice Chair
Mike Malbon
Harry Hutton
Randy Crawford
Mike Reed
Peter Hogenson

Commissioners Absent

Holly Carpenter
Dave Calhoun

Marine Bureau Personnel

Mark Sandoval, Manager
Vivian Crook, Secretary

City Staff

Jeff Edwards, Supt. Maint. Oper. Bureau
Grant Jeffries, Captain, Marine Safety, LBFD
Dennis Sullivan, Sergeant, Marine Patrol
Dave Akins, Officer, Marine Patrol
Robert Lafoon-Villegas, Admin. Analyst, 2nd Dist.
Avonne Gravel, Admin. Analyst, 3rd Dist.
Dennis Eschen, Manager, Plan.&Devel. Bureau
Eric Leung, Engineering, Water Department

Guests

Amy Bently-Smith, Grunion Gazette
Carl Kirnbauer, LBMBOA
Don Cobleigh, LBMBOA
Lawrence Haile, boatowner
Chris and Julie Sheldon
Ted Kuhn
Gary DeLong
Eric Forsen

Chairman Miller convened the meeting at 2:30 p.m., at the Long Beach Yacht Club.

ROLL CALL

Mark Sandoval called the roll of commissioners and introduced Marine Bureau personnel and City staff. Guests introduced themselves.

CONSENT CALENDAR

The September 8, 2005, MAC minutes were reviewed and approved with a correction on page 2 under New Business, third paragraph, third line to read, "...pass the **2006** budget next week..."

PUBLIC COMMENT

None

OLD BUSINESS

None

NEW BUSINESS

- Richard Miller thanked MAC members for voting him to another term as Chairman, and Bradley Whyte as Vice Chairman.
- Chairman Miller thanked Vice Chairman Whyte and Commissioner Malbon for agreeing to sit on the Rules and Regulations Committee, and for Commissioner Malbon agreeing to also sit on the ABM Rebuild Interview Panel.
- Eric Leung of the Water Department gave a presentation on the Under Ocean Floor Seawater Intake and Discharge Project. The proposed project is intended to determine the feasibility of utilizing a system of subsurface intake and discharge wells for seawater desalination. The project is a two-year research effort proposed to begin in late 2005. The City would like a more environmentally friendly water treatment plant. State and Federal Grant monies are being sought for this research project.
- Mr. Haile made an appeal to the MAC regarding his slip cancellation. Mr. Haile's slip was cancelled as of November 30, 2004, for non-payment. Mr. Haile then failed to remove his boat from the slip and his boat was impounded on December 2, 2004. The Marine Bureau did not hear from Mr. Haile again until September 2005, when he asked to be reinstated.

Mr. Haile stated, "I did not contact Mr. Sandoval immediately because I was not that concerned initially, because I knew that this matter would eventually be taken care of." He said that he is trying to do that now, but that he has to have a place to put his boat. He said that there are no slips available. Now he would like to pay whatever is owed and get his boat back into a slip. He would like to have the use of his boat in a slip that is convenient to where he lives in downtown Long Beach. He said he initially wanted to be back in his original slip, however he will now accept any slip.

He was asked why he waited so long before contacting the marina. He said he knew where the boat was and he knew that it hadn't been sold. He said that he could not take the boat back until he had a place to put it.

Mr. Haile said that he received a notice from the marina stating that he was entitled to reinstatement if he followed their procedures, but that he did not follow up. He said he had received a bill for towing and other fees. He believes that he should not be penalized for the nine-month period. He said that perhaps he is dilatory in addressing the issue of his boat being in impound, but that he found nothing in the rules and regulations that imposes any time requirement on his actions.

Mark Sandoval said that the Marine Bureau has been charging impound and storage fees on a daily basis and that as long as Mr. Haile pays all the fees accrued, the City will release the boat to him. He said that at some point in time the City will begin lien procedures on the boat.

The commissioners remarked that there is a long list of people waiting on the waiting list for a slip. They said they could not understand why Mr. Haile failed to contact the Marine Bureau regarding releasing his boat from impound.

Mr. Haile stated to the MAC, "If I don't have a place to put the boat, then I have no alternative but to seek other remedies, and I don't think that's to anybody's benefit, and to make it clear, I am lawyer, I have practiced marine law, I will proceed with other remedies because I have no other recourse at this point. "

It was moved by Vice Chairman Whyte and seconded by Commissioner Crawford that the MAC support the actions of the Marine Bureau and uphold the slip cancellation for Mr. Haile. The motion passed unanimously.

BUREAU MANAGER'S REPORT

Marina Operations Report

Mark Sandoval gave the report for the Marine Bureau Major Accomplishments, the Monthly Fund Budget Report for ABM/LBSM/RBH, the Total Vessels In and Out by Marina, and the Slip Status Report for the month of September.

- Commissioner Malbon requested the MAC be provided with a list that shows size transfer requests for a certain size slips. He felt such a list it would give clearer information to those on the Waiting List and those waiting to transfer to a larger size slip. Mark Sandoval said that he believes he would be able to provide that information.
- There was a question asked about boatowners with 20 and 25-foot boats and what will happen to them after the ABM rebuild. Mark Sandoval stated that the Bureau has begun freezing slips in those sizes after cancellation, and will undersize in new slips if needed.

Maintenance Operations Report

Jeff Edwards gave the Marine Maintenance status report for the month of September.

- All buoys were installed and adjusted in anticipation of the debris boom installation at the mouth of Rainbow Harbor.
- All Washingtonian palm trees have been trimmed in ABM areas 1 through 4. Marine Maintenance trims trees twice a year and is prohibited by Federal regulation from trimming trees during certain times of the year, so that Federally protected birds are not disturbed during nesting season.
- Plumbing has been installed and electrical installation is being completed on a new modular restroom at the center point of the Belmont Veterans Memorial Pier. It should be operational within the next week or two.
- Dennis Eschen responded to a request for updated information on the sand separation machine project. He stated that the environmental agencies liked the sand separation project, which was done for research purposes only. The sand separation worked, however it is very expensive. Less expensive means for disposing of dredged material is being sought.
- Commissioner Hogenson stated that there is a lot of graffiti on the bike path. Jeff Edwards explained that for a couple of years there was only one employee dedicated to graffiti abatement one to two days a week; now there are two employees dedicated to graffiti abatement five days a week. Staff has informed him that graffiti has been very heavy in the marina area.
- Chairman Miller stated that the ABM buoy channel markers are not in alignment, and he feels this is a safety hazard. Jeff Edwards stated that the Grunt had been declared unseaworthy and was the primary delay in refurbishing and reinstalling buoys; however, all floating aids to navigation within the recreational waters of Long Beach should be refurbished and reinstalled in approximately 30 days.

Marine Safety Report

Captain Grant Jeffries gave the Marine Safety status report for the month of September.

- The new rescue boat will hopefully be ready for service by the first of the year.
- On September 28, the Lifeguards hosted the California Boating Safety Officers Association (CBSOA) seminar at the Coast Hotel in Long Beach. 70 officers attended, representing over 25 agencies up and down the coast of California. RBO Scott Mitchell, the Southern Director of the CBSOA, coordinated the event.
- Last month the Long Beach Lifeguard Search and Rescue Dive Team participated in two P-Dog dives. Swift dive operation groups (LA City Police Officers, LA Port Police, LA City Fire, Long Beach Lifeguards, and the Coast Guard) are called on by USCG, Customs, and the DEA to search the hulls of large vessels. This group of divers can search an 800-foot hull in less than two hours. Funding for this activity is through Homeland Security.

Marine Patrol Report

Sergeant Dennis Sullivan reported on Marine Patrol activities for the month of September.

- Homeless and parolees are being squeezed out of the Lincoln Park area and have now moved into the green belt area and in and around the Aquarium. Marine Patrol has arrested five individuals for no bail warrants. Marine Patrol is trying to put together sweeps of the area.
- Homeland security has paid for Marine Patrol officers to attend weapons of mass destruction classes.
- An LBSM boatowner used a flare gun to shoot at a group of people fishing near the LBSM gas dock. No one was injured. He was taken to jail for assault with a deadly weapon.
- A vendor in the LBSM left two threatening messages on the RBH office phone. A terrorist threat report was filed against this individual for making threats against a Marine Patrol officer. Three warrants were issued for him. Marine Patrol has asked that this vendor not be allowed to work in the marinas.
- Three stolen vehicles were recovered, two of which were occupied by suspects at the time.

Executive MAC

- All items covered.

Operations Committee

- All items covered.

Facilities Committee

- Mark Sandoval stated that the City is proceeding with the permitting of the mooring buoys near the Belmont Veterans Memorial Pier.
- Mike Reed stated that the Los Cerritos Wetlands Committee is concerned that there is no master plan for the PCH/Second Street area. Commissioner Malbon stated that it would be wise for the MAC to support a master plan for the whole area. Mark Sandoval stated that the Seaport Marina Hotel is outside the ABM Master Plan and is privately owned; and, the owners have the right to do work on their property within the City's guidelines.
- Chairman Miller asked if the remodeled rest room at the Beach Maintenance yard would be for public use. Dennis Eschen said that the rest room is for the Maintenance crew.

- Mark Sandoval reported that a week from Monday, interviews will begin for a construction consultant for the ABM rebuild. Once this company is identified, work on the RFP for the design build will immediately be started. The current estimate for the ABM rebuild is \$67 million. The City has asked DBW for \$ 63 million. DBW has approved and funded \$12 million of the amount requested. Over the next four to five years, the City will have to accumulate the additional \$4 million to supplement the DBW loan.

COMMENTS FROM THE AUDIENCE

- Robert Lafoon-Villegas reported that KTLA was downtown covering the morning news from the Pike project. They were flying over the LBSM, parks, and shoreline area. The weather cooperated and everything looked spotless. Long Beach looked fantastic on TV.

COMMENTS FROM COMMISSIONERS

- Mark Sandoval distributed a copy of an article in Marina World Magazine. He stated that it is the best article he's read regarding the rebuild of the LBSM. The article is concise and comprehensive.
- Mark Sandoval stated that he sent a letter through Phil Hester and the City Manager to the Mayor and members of the City Council in response to letters that were being sent to the City Clerk by the boatowners, via the Long Beach Marina Boatowners Association (BOA). BOA was trying to push to alter the CPI, and drafted a letter for boatowners to sign and send to the City Clerk. Information in the BOA newsletter and the letter to the City Clerk was incorrect. Mark Sandoval confirmed what DBW looks for in the loan documents and what is expected of the City for the marina loans.
- Chairman Miller said that he had talked to people along Paoli Way regarding special events. They are concerned about generators that are placed next to the wall/fence during events. He suggested a master plan be drawn indicating where generators should be placed during events.

Commissioner Malbon suggested the use of a mobile commercial generator unit with a "hush kit" on it. This "hush" generator could be supplied by the event organizer and all vendors could be fed from it.

Mark Sandoval remarked that a 20-foot fire lane is required during events. He said he would pass their suggestions along to special events.

- Mark Sandoval announced that next month's MAC meeting will be held November 17 at 1:30 p.m. at the LBYC.

ADJOURNMENT

Meeting adjourned at 4:25 p.m. The next meeting is set for **November 17, 2005, at 1:30 p.m.** at the Long Beach Yacht Club.